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10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 GREGORY L. REYES and STEPHANIE  
17 JENSEN,

18 Defendants.  
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Case No. CR 06-00556 CRB (EMC)

**STIPULATION AND ~~[PROPOSED]~~  
AMENDED PRETRIAL SCHEDULING  
ORDER**

Judge: Hon. Charles R. Breyer  
Courtroom: 8, 19th Floor

1 WHEREAS, after meeting and conferring several times, the parties submitted a Joint  
2 Scheduling Conference Statement on March 27, 2007 (Docket no. 147) proposing a schedule for  
3 various pretrial disclosures and filings;

4 WHEREAS, following a status conference on March 28, 2007, the Court, on March 29,  
5 2007, entered a Pretrial Scheduling Order setting forth all pretrial deadlines (Docket no. 150);

6 WHEREAS, in that Order, while most of the dates were scheduled to occur before the  
7 commencement of trial, two dates were set to occur after the government's opening statement, to  
8 wit, the Order provided that Defendants shall produce all *Jencks* material and Witness and  
9 Exhibit Lists "on or before seven days after the government's opening statement, *i.e.* June 25,  
10 2007", *see* March 29, 2007 Pretrial Scheduling Order at ¶¶ A, D;

11 WHEREAS, on March 29, the Court granted Defendant Stephanie Jensen's motion for  
12 severance, *see* March 29, 2007 Mem. and Order re Severance (Docket no. 151), and on April 6,  
13 the Court entered an Order stating Ms. Jensen's trial would follow Mr. Reyes' trial, but that  
14 notwithstanding the severance of trials, "[a]ll pre-trial deadlines set forth in the Court's  
15 scheduling order dated March 29, 2007 would remain applicable to both Defendants", *see*  
16 April 6, 2007 Order (Docket no. 165);

17 WHEREAS, the combination of these orders as currently written would require  
18 Ms. Jensen to submit her Witness and Exhibit Lists and *Jencks* material on June 25 (seven days  
19 after the government's opening statement in *Mr. Reyes'* separate trial), which would be several  
20 weeks *before* the government's opening statements in *her own* trial;

21 WHEREAS, such an early disclosure of these lists and material by Ms. Jensen is not  
22 consistent with the parties' intent when they submitted the Joint Scheduling Conference  
23 Statement in which both the government and Defendants proposed that Defendants disclose  
24 Witness and Exhibit Lists and *Jencks* Material after the government's opening statement (in what  
25 was at that point a joint trial), *see* Joint Scheduling Conference Statement (Docket no. 147) at  
26 p.2, lines 6-8, 13-14 & p. 3, lines 10-12; and  
27  
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1 WHEREAS, the Court acknowledged at the March 28<sup>th</sup> status conference that the  
2 Defendants should not be required to turn over Witness/Exhibit Lists and *Jencks* Material “in  
3 advance of trial, because...it would not be very meaningful”, *see* Transcript of March 28 Status  
4 Conference, p. 20, lines 11-13.

5 THEREFORE, Ms. Jensen and the Government hereby stipulate and jointly request that  
6 the Court amend the March 29, 2007 Pretrial Scheduling Order, in the following two limited  
7 respects:

- 8 1. Paragraph A of the Pretrial Scheduling Order shall be amended to require Ms. Jensen to  
9 produce all *Jencks* material on or before seven days after the government’s opening  
10 statement in *her* trial.  
11 2. Paragraph D of the Pretrial Scheduling Order shall be amended to require Ms. Jensen to  
12 file Witness and Exhibit Lists on or before seven days after the government’s opening  
13 statement in *her* trial.

13 Respectfully submitted,

14 Dated: April 27, 2007

KEKER & VAN NEST, LLP

15 By: /s. Jan Nielsen Little  
16 JAN NIELSEN LITTLE  
17 Attorneys for Defendant  
18 STEPHANIE JENSEN

19 Dated: April 27, 2007

UNITED STATES OF AMERICA

20 By: /s/ Timothy P. Crudo  
21 TIMOTHY P. CRUDO  
22 ADAM A. REEVES  
23 Assistant U.S. Attorneys

24 **THE FOREGOING STIPULATION**  
25 **IS APPROVED AND IS SO ORDERED.**

26  
27 DATED: May 1, 2007

28 By: \_\_\_\_\_  
HONORABLE CH  
United States Dist

